

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicants:</b>	Masaaki Ueda et al.	<b>Examiner:</b>	Henry M. Johnson III
<b>Serial No:</b>	10/751,565	<b>Art Unit:</b>	3739
<b>Filed:</b>	January 5, 2004	<b>Docket:</b>	17339
<b>For:</b>	MEDICAL INSTRUMENT HOLDING APPARATUS	<b>Dated:</b>	December 23, 2008
<b>Conf. No.:</b>	3667		

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§ 1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

1. Japanese Patent Application KOKAI Publication No. 2001-299695 published October 30, 2001;
2. Japanese Patent Application KOKAI Publication No. 2001-95819 published April 10, 2004; and
3. Japanese Patent Application KOKAI Publication No. 2000-245738 published September 12, 2000.

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**CERTIFICATE OF ELECTRONIC FILING**

I hereby certify that this correspondence is being deposited with the United States Patent & Trademark Office via Electronic Filing through the United States Patent and Trademark Office e-business website on the date set forth below.

Dated: December 23, 2008

/Thomas Spinelli/  
Thomas Spinelli

The references listed above were cited in an Official Action dated November 25, 2008 received from the Japanese Patent Office. Applicants are submitting a copy of the above-cited references required by 37 C.F.R. § 1.98 (a)(2)(i) and (ii), together with a translation of the Examiner's comments regarding all of the references from the Official Action. The references are described in the Official Action.

The undersigned hereby states that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.

Further, inasmuch as this Information Disclosure Statement is also being submitted in accordance with the schedule set out in 37 C.F.R. § 1.704(d), a statement is attached.

Applicants also authorizes Deposit Account 191013 to be charged the requisite \$180.00 official fee pursuant to § 1.17(p)

Respectfully submitted,

/Thomas Spinelli/

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**STATEMENT PURSUANT TO 37 C.F.R. §1.704(d)**

Sir:

I hereby state that each item of information contained in the Information Disclosure Statement submitted herewith was first cited in a communication from a foreign patent office in a counterpart application and that this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the Information Disclosure Statement.

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Therefore, the Information Disclosure Statement submitted herewith cannot be considered a failure to engage in reasonable efforts to conclude prosecution of the application under paragraphs (c)(6), (c)(8), (c)(9), or (c)(10) of 37 C.F.R. §1.704.

Respectfully submitted,

/Thomas Spinelli/

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